

DECLARATION FOR PATENT APPLICATION

COPY

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

**METHOD AND APPARATUS FOR TESTING THE
RESPONSIVENESS OF A NETWORK DEVICE**

the specification of was filed on February 6, 1996 as Application Ser. No. 08/596,064.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign PCT Application(s) and any priority claims under 35 U.S.C. §119:			Priority Claimed	
(Number)	(Country if PCT so indicate)	(DD/MM/YY Filed)	<input type="checkbox"/> YES	<input type="checkbox"/> NO
_____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>
(Number)	(Country)	(DD/MM/YY Filed)	<input type="checkbox"/> YES	<input type="checkbox"/> NO

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below.

_____	_____
(Application Number)	(filing date)
_____	_____
(Application Number)	(filing date)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

_____	_____	_____
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)
_____	_____	_____
(Application Serial No.)	(filing date)	(status-patented, pending, abandoned)

(PCT Appl. No.) (U.S. Ser. No.) (PCT filing date) (status-patented, pending, abandoned)

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I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Therese A. Hendricks
M. Lawrence Oliverio

Address all telephone calls to Therese A. Hendricks at telephone no. (617) 720-3500.
Address all correspondence to

Therese A. Hendricks
c/o Wolf, Greenfield & Sacks, P.C.,
Federal Reserve Plaza
600 Atlantic Avenue
Boston, MA 02210-2211

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

✓ 

Inventor's signature

✓ 3-26-96

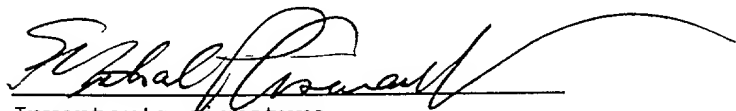
Date

Full name of sole or first inventor: Craig Dube

Citizenship: U.S.

Residence: 7 Albert Street, Somersworth, New Hampshire 03878

Post Office Address: Same



Inventor's signature

✓ 3-26-96

Date

Full name of sole or first inventor: Michael Arsenault

Citizenship: U.S.

Residence: 25 Garland Road, Nottingham, New Hampshire 03290

Post Office Address: Same



Inventor's signature

✓ 3-26-96

Date

Full name of sole or first inventor: Christopher Crowell

Citizenship: U.S.

Residence: 30 Collins Drive, East Hampstead, New Hampshire 03826

Post Office Address: Same

ASSIGNMENT

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In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, we the undersigned Craig Dube, Michael Arsenault and Christopher Crowell hereby

Sell, assign and transfer to Cabletron Systems, Inc., a Delaware corporation having a place of business at 35 Industrial Way, P.O. Box 5005, Rochester, New Hampshire 03867-5005, its successors, assigns and legal representatives, all hereinafter referred to as the Assignee, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Letters Patent filed in the United States Patent and Trademark Office on February 6, 1996 under Serial No. 08/596,064 and entitled METHOD AND APPARATUS FOR TESTING THE RESPONSIVENESS OF A NETWORK DEVICE, and in and to said application and all divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

We agree that said Assignee may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said Assignee, we agree to carry out in good faith the intent and purpose of this assignment, by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said Assignee all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said Assignee shall consider desirable for aiding in securing and maintaining proper patent

protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said Assignee.

We hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said Assignee.

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We covenant with said Assignee that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us and that full right to convey the same as herein expressed is possessed by us.

3.27.96
Date

Craig Dube
Craig Dube

STATE OF New Hampshire :
COUNTY OF Strafford :

Subscribed and sworn to beforeus this 27 day of March 1996.

SEAL

Doana L. Perkins
Notary Public

✓ 3/27/96
Date

Michael Arsenault
Michael Arsenault

COPY

STATE OF ✓ New Hampshire :
COUNTY OF ✓ Strafford :

Subscribed and sworn to beforeus this ✓ 27 day of ✓ March 1996.

SEAL

Donna L. Peckham
Notary Public

✓ 3/27/96
Date

Christopher Crowell
Christopher Crowell

STATE OF ✓ New Hampshire :
COUNTY OF ✓ Strafford :

Subscribed and sworn to beforeus this ✓ 27 day of March 1996.

SEAL

Donna L. Peckham
Notary Public